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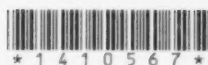
28 April-9 May 2014

Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Ethiopia*

The present report is a summary of 22 stakeholders' submissions¹ to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.



Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations

1. Joint Submission 2 (JS2) recommended that Ethiopia ratify OPs-ICCPR² and OP-ICESCR.³
2. Human Rights Council – Ethiopia (HRCO) recommended that Ethiopia ratify optional protocols that would allow individual communications.⁴
3. Human Rights Watch (HRW) recommended that Ethiopia ratify the Rome Statute of the International Criminal Court, sign and ratify CPED, OPs-ICCPR, and OP-CAT.⁵
4. JS6 noted that Ethiopia had not ratified ICRMW, although it had accepted recommendations to do so during the first cycle of the UPR.⁶
5. HRCO recommended that Ethiopia ratify the African Union Convention for the Protection and Assistance on Internally Displaced Persons in Africa (Kampala Convention) that it had already signed.⁷

2. Institutional and human rights infrastructure and policy measures

6. Ethiopian Human Rights Commission (EHRC), JS5 and JS6 welcomed the adoption of the National Human Rights Action Plan (NHRAP).⁸ However, according to JS6, civil society organizations (CSOs) were not involved during the formulation of NHRAP. NHRAP did not provide for specific modalities for participation of CSOs during its implementation and monitoring. Furthermore, NHRAP did not spell out specific implementation measures or timeframe.⁹ JS5 also indicated that NHRAP did not address mechanisms and official policies that violated citizens' human rights.¹⁰
7. JS6 noted that the branch offices of EHRC, national human rights institution, lacked both technical and financial capacity to carry out their mandate and did not work closely with affected communities.¹¹ Attempts of EHRC to promote international human rights instruments were intermittent and of limited outreach.¹² JS6 recommended that EHRC be more transparent and proactive and that its capacity to investigate human rights violations be enhanced.¹³

B. Cooperation with human rights mechanisms

8. Amnesty International (AI) stated that a coalition formed to submit information for the 2009 UPR and for the treaty bodies had disbanded after preparing the report for the UPR. Following the submission of that report, the organizations involved were subjected to serious harassment to the extent that the staff of two of the organisations had to flee Ethiopia.¹⁴

1. Cooperation with treaty bodies

9. Advocates for Human Rights (AHR) stated that the Proclamation to Provide for the Registration and Regulation of Charities and Societies No. 621/2009 (Charities and Societies Proclamation) had impeded civil society submissions to the treaty bodies.¹⁵
10. JS2 recommended that Ethiopia fully cooperate with the treaty bodies, including through the prompt submission of the follow-up information requested by HR Committee.¹⁶

2. Cooperation with special procedures

11. JS6 stated that Ethiopia had not complied with recommendations to facilitate official visits to the country by special procedures mandate holders.¹⁷ African Rights Monitor (ARM) stated that, to date, Ethiopia had not allowed the special procedures to visit Ogaden.¹⁸

12. HRW, JS3 and JS4 recommended that a standing invitation should be extended to the special procedures.¹⁹

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

13. AHR reported widespread discrimination against the Oromos, including restrictions on speaking Oromiffa, the Oromo language.²⁰ Suspected membership in the Oromo Liberation Front (OLF) was used as a pretext for their expulsion from school or arrest.²¹

14. Unrepresented Nations and Peoples Organization (UNPO) recommended that Ethiopia put an end to racial discrimination, which appeared to be the motivation behind the current mistreatment of the Oromo and Ogaden populations.²²

15. Advocacy for Human Rights Ethiopia (AHRE) expressed concern about discrimination of the Amhara ethnic group, particularly in Machakil district in the Amhara region.²³

16. Minority Rights Group (MRG) indicated that, historically, the Gambella region and its indigenous peoples had been among the most marginalized communities. Despite the introduction of a new political system (ethnic federalism), indigenous peoples of Gambella remained marginalized from government services such as access to education, healthcare, clean water and security.²⁴

17. Survival International (SI) highlighted that pastoralists had been treated very differently from peasants, from whom they were ethnically distinct. While pastoralists had been denied the land rights supposedly guaranteed to them by the Constitution, the land rights of peasants had been implemented in full.²⁵

2. Right to life, liberty and security of the person

18. UNPO stated that there had been numerous incidences of indiscriminate and extrajudicial killings amongst the Oromo and Ogaden populations.²⁶ AI also noted numerous reports of the extrajudicial execution of persons suspected of supporting OLF and of their disappearance after their apprehension by the police or the military.²⁷

19. ARM stated that, despite the follow-up request of the HR Committee to investigate reported human rights violations in the Somali region and take effective measures to stop any further violations, Ethiopia introduced, in 2009, the Liyu Police (special police), which exacerbated the killings and blatant rapes that were already rampant.²⁸ AI raised similar concerns.²⁹ ARM indicated that Ethiopia had refused ICRC's access to visit prisons in the Somali region and recommended that Ethiopia give free access to international NGOs and ICRC to support the civilian population in that region.³⁰

20. JS6 stated that there were reports of widespread mistreatment, torture and inhuman treatment by the police, especially at the Federal Police Investigation Department, on detainees for links with political organizations declared as terrorist groups by Parliament.³¹

International Oromo Women's Organization (IOWO) reported on torture and killing of Oromos by the Government, especially of young Oromos in Kaliti prison in Addis Ababa.³²

21. HRW indicated that it had documented hundreds of cases of arbitrary detentions in Addis Ababa, Oromia, Gambella, and Somali regions over the past years. Students, members of opposition groups, journalists, peaceful protesters and others seeking to express their rights to freedom of expression, association and assembly were frequently detained arbitrarily.³³ AHR noted that Oromos continued to be victims of arbitrary arrest, detention without charge, and torture by the Government. Arrests had reportedly increased and conditions had worsened since the so-called "Arab Spring".³⁴

22. UNPO stated that the Government had repeatedly labelled Oromos' protest movement in the Oromia region as violent and terrorist-related.³⁵ In March 2011, more than 200 members and supporters of registered Oromo political parties were arrested *en masse* and accused of being involved with OLF. At least 89 were charged with a variety of offenses, including terrorism. UNPO was concerned that, to this day, there was no knowledge of whether formal charges had been brought against the other detainees.³⁶

23. AI and HRCO stated that, in 2012, a large number of ethnic Sidama had been arrested in the Southern Nations, Nationalities, and Peoples' Region (SNNPR). These arrests were reportedly in response to calls for separate regional statehood for the Sidama.³⁷

24. HRW stated that ill-treatment was common in detention, particularly in Addis Ababa's Federal Police Crime Investigation Centre, known as Maekelawi, where most individuals were held during pre-charge or pre-trial detention. Abuse and coercion that, in some cases, amounted to torture and other ill-treatment were used to extract information, confessions and statements from detainees.³⁸

25. LHRC indicated that it had monitored conditions of 114 prisons countrywide in 2010-2011 and reported on overcrowding, serious scarcity of water, and shortage of medical materials and professionals, among others.³⁹

26. JS1 recommended that Ethiopia only hold detainees in official detention centres and keep their names and places of detention in registers readily available and accessible to those concerned; prompt and regular access of detainees be guaranteed at all times to doctors, lawyers and family members; Ethiopia also take appropriate measures to enforce provisions applicable to the treatment of prisoners in a comprehensive manner; all disappearances in custody be investigated.⁴⁰ AI made similar recommendations.⁴¹

27. AI, IOWO, UNPO and JS1 reported that Ethiopian refugees in neighbouring countries were abducted and forcibly returned to Ethiopia and harassed by Ethiopian security forces.⁴²

28. AI indicated that rape of women by soldiers had been reported in the Oromia and Somali regions.⁴³

29. JS6 stated that the security and justice sectors had taken a number of initiatives to address violence against women and children through specialized structures mostly supported by CSOs. However, many of these initiatives had stalled, as the Charities and Societies Proclamation hampered the work of almost all CSOs supporting these initiatives. Consequently, support services were barely available outside Addis Ababa and did not meet the demand and the needs of the victims.⁴⁴

30. JS6 indicated that marital rape was still not recognized as a criminal act. Ethiopia did not have domestic violence legislation. Very few studies were conducted on domestic violence.⁴⁵

31. JS6 stated that female genital mutilation/cutting remained one of the most prevalent and harmful traditional practices affecting women and children. Afar, SNNPR and Oromia

were among the regions where the practice was the most prevalent.⁴⁶ Furthermore, despite its criminalization, early marriage remained prevalent. Abduction was also widespread and commonly followed by rape. In most cases, despite the law, the victim's family forced her to marry her abductor and rapist.⁴⁷

32. Global Initiative to End All Corporal Punishment of Children (GIEACPC) stated that corporal punishment of children was lawful, despite the repeated recommendations to prohibit it by CRC, other treaty bodies and during the first cycle UPR in 2009, which Ethiopia rejected. GIEACPC hoped that a specific recommendation would be addressed to Ethiopia during UPR in 2014 to enact legislation so as to explicitly prohibit corporal punishment of children in all settings, including the home, as a matter of priority.⁴⁸

33. MRG stated that, on the Karuturi and Saudi Star farms in Ilea and Ochakchala villages in Gambella region, most of the daily labourers were children in the age of 7-13 years old. They often worked long hours and were paid less. Consequently, most children living in the vicinity of those farms were not going to school and left exposed to all kinds of labour abuse and exploitation.⁴⁹

34. JS6 stated that the low rates of prosecution and conviction of traffickers had contributed to the widespread practice of trafficking and smuggling. Even though Ethiopia acceded to the Palermo Protocol⁵⁰, domestic law was still not harmonized with international standards.⁵¹ JS6 recommended that Ethiopia adopt a comprehensive policy on migration and trafficking, designate an organ exclusively working on trafficking; revise the Criminal Code to specifically proscribe human trafficking and redefine elements of the crime; and build the capacity of prosecutors and judges by providing special trainings on prosecution and punishment of the crime of human trafficking.⁵²

3. Administration of justice, including impunity, and the rule of law

35. Ethiopian Women's Human Rights Alliance (EWHRA) stated that the application of the Anti-Terrorism Proclamation No. 652/2009 (Anti-Terrorism Proclamation) had been aided by a politicized judiciary who lacked independence. The judiciary had been used as a tool of "persecution by prosecution" of real and perceived political opponents of the Government. Most Ethiopians had little confidence in the impartiality and neutrality of the judiciary.⁵³

36. JS1 stated that many rights related to judicial process, outlined in the Constitution, were abused under the guise of national security. JS1 recommended that laws clearly define the boundaries of terrorism/national security and its separation from lawful political opposition. The right to judicial review of the legality of detention within 48 hours should be enforced in accordance with the Constitution. The effective application of the law regulating the treatment of prisoners should be monitored and officials involved in law enforcement adequately trained.⁵⁴

37. HRW indicated that there had been little or no apparent effort to investigate or ensure accountability for past serious crimes by the security forces in the Gambella, Somali, and Oromia regions, and in the wake of the 2005 election protests.⁵⁵ HRW recommended that Ethiopia launch independent inquiries into serious violations of international humanitarian law and other abuses by its military forces in these regions.⁵⁶

38. JS6 stated that compensation for victims of torture and mistreatment by law enforcement officers was unprecedented and that there were no laws specifically addressing redress for human rights violations.⁵⁷ JS6 recommended that mechanisms be put in place to provide adequate redress to victims of torture and degrading treatment by law enforcement officers.⁵⁸

4. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

39. JUBILEE stated that, except Islam and the Ethiopian Orthodox Church, other religious groups were required to register with the Department of Justice in order to obtain legal standing. Although the Constitution protected religious freedom, there were ongoing reports of religious persecution, particularly against Evangelical Christians by both Orthodox Christians and Muslims.⁵⁹

40. EWHRA stated that the Government consistently interfered in the affairs of both the Christian and Muslim religions. Religious leaders, Orthodox, Muslim, and Protestants, were often pressured to issue broadcasted statements and messages of support for major governmental actions.⁶⁰

41. JS6 stated that, in 2012, the Government had detained journalists and leaders of the "Muslim Committee" who had organized peaceful protests calling for cessation of alleged violations of freedom of religion by the Government. The detainees were prosecuted for terrorism. Their trials were closed to the public, and there were allegations that the detainees had been tortured. According to JS6, protestors stated that the Government had tried to impose the teachings of a minority Muslim sect on the Muslim community and was behind the closure of the only religious school teaching Islam.⁶¹ Several other organizations also expressed concerns about crackdown on Muslims.⁶²

42. JUBILEE recommended that Ethiopia work to promote dialogue between all religious groups, particularly between the Ethiopian Orthodox Church, the Muslim community, and minority religious groups; and to help resolve ongoing tension between these groups.⁶³

43. A number of organizations highlighted that the Freedom of the Mass Media and Access to Information Proclamation No. 590/2008 (Mass Media Proclamation) and the Anti-Terrorism Proclamation seriously undermined freedom of expression.⁶⁴

44. ARTICLE 19 was concerned that the Mass Media Proclamation restricted independence and plurality of media.⁶⁵ JS3 indicated that the public prosecutor held the unchecked authority to summarily impound any publication deemed a threat to public order or national security under the Mass Media Proclamation.⁶⁶ ARTICLE 19 was furthermore concerned about the control reinforced by a state monopoly over printing presses through the state-owned printing enterprise.⁶⁷ JS3 indicated that, in April 2012, an edict was issued to ban any publication that it broadly deemed to violate the Anti-Terrorism Proclamation.⁶⁸

45. ARTICLE 19 indicated that, although the Mass Media Proclamation established a legal framework for the right of access to information, ministerial guidelines were not published to outline how the access to information law could be actualised.⁶⁹ JS3 raised similar concerns.⁷⁰

46. ARTICLE 19 also stated that the Criminal Code, incorporated into the Mass Media Proclamation, contained a number of ambiguous provisions that were not compatible with international standards on freedom of expression, and severely undermined the freedom of all people to criticise the State or its officials.⁷¹

47. According to HRCO, the population of Ethiopia was eighty million, however only nineteen newspapers were in circulation. There were no privately owned radio or television stations.⁷² JS4 stated that at least five newspapers were forced to close in 2012, among them, two were Muslim newspapers.⁷³ HRW stated that radio stations, particularly those broadcasting in Amharic and Afan Oromo (Oromiffa), were routinely jammed.⁷⁴

48. JS4 stated that, in the wake of the Arab spring, Ethiopia had intensified its control over the internet. A wide range of national and international news websites, blogs, and sites

of national and international human rights organizations were inaccessible.⁷⁵ ARTICLE 19, JS2, and JS3 raised similar concerns.⁷⁶ Reporters without Borders (RSF-RWB) indicated that there was only one state-owned internet service provider and that only about 0.5 per cent of the population was online.⁷⁷ JS4 stated that Proclamation No. 761/2012 on Telecom Fraud Offences also severely limited freedom of expression by bringing social media under the ambit of the Anti-Terrorism Proclamation.⁷⁸ JS3 raised similar concerns.⁷⁹

49. RSF-RWB indicated that many journalists still lived in fear following the 2005 post-election crackdown, in which a score of newspaper editors and publishers had been arrested.⁸⁰ The laws on media provided for long prison sentences for those found guilty of defamation or publishing false information, as well as for those found guilty of "terrorist activities" under the Anti-Terrorism Proclamation.⁸¹

50. JS3 reported that Ethiopia was holding journalists from a neighbouring country's state television since 2007 without charge or trial. Their whereabouts, legal status and health were unknown.⁸²

51. JS3 stated that correspondents of a foreign broadcast institute were detained in 2012.⁸³ The authorities also denied the press independent access to sensitive parts of the country, including the eastern region of Ogaden and the northwest region of Gambella.⁸⁴ Several organizations indicated that Ethiopia had arrested two foreign journalists and sentenced them to 11 years in prison for trying to visit and report on the situation in Ogaden.⁸⁵ ARM highlighted that there was no single newspaper in Ogaden and all media in the Somali region was owned by the Federal Government or the Regional State.⁸⁶ JS3 recommended that Ethiopia eliminate restrictions on the freedom of movement of independent journalists in areas where allegations of human rights abuses persisted.⁸⁷

52. JS4 stated that, on 14 September 2011, prominent journalist and human rights defender, Eskinder Nega was arrested in Addis Ababa, shortly after writing an article condemning the government use of the Anti-Terrorism Proclamation to persecute those who express dissenting views. After being held in incommunicado detention without access to a legal counsel for several months, he and 23 others were charged with terrorism and treason in November 2011. He was convicted on terrorism charges and sentenced to 18 years in prison in July 2012. JS4 noted that the Working Group on Arbitrary Detention had called for his immediate release, determining that the Government had violated his fundamental rights to freedom of expression and due process. In May 2013, Ethiopia's Supreme Court upheld his 18-year prison sentence.⁸⁸ A number of other organizations also raised similar concerns for Eskinder Nega,⁸⁹ as well as for Reeyot Alemu, winner of the 2013 UNESCO-Guillermo Cano World Press Freedom Prize, who was also one of the journalists convicted under the Anti-Terrorism Proclamation.⁹⁰

53. A number of organizations highlighted that Ethiopia had restricted the activities of civil society as a result of the passage of the Charities and Societies Proclamation in 2009. Human rights organizations had limited their mandates to comply with the law. Many, including human rights defenders and lawyers, had fled the country for fear of persecution.⁹¹ HRW was concerned that, since 2009, there had been a dramatic reduction in the number of independent organizations working on human rights issues.⁹²

54. ARTICLE 19 stated that the Charities and Societies Proclamation only allowed "Ethiopian Charities and Societies" to engage in human rights activities and related social justice or political programmes. The definition of what "Ethiopian Charities and Societies" means was narrow, and excluded entities that receive 10 per cent or more of their funding from foreign sources.⁹³

55. JS4 stated that, under the Charities and Societies Proclamation, CSOs were required to disclose the identity of all donors. Further, organizations wishing to hold a national fundraising event were required to secure permission from the Charities and Societies

Agency, the government organ tasked with overseeing adherence to the Charities and Societies Proclamation.⁹⁴ The Charities and Societies Agency was also permitted to investigate the activities of CSOs by searching their property.⁹⁵ Furthermore, it had the power to suspend or revoke the license of a registered CSO.⁹⁶

56. JS6 stated that Ethiopia had frozen bank accounts of HRCO and the Ethiopian Women Lawyers Association (EWLA) applying the Charities and Societies Proclamation retroactively and stating that the funds they had received in the past were foreign funds and could not therefore be used by them as Ethiopian charities.⁹⁷ In February 2012, the Charities and Societies Agency upheld an earlier decision to freeze the bank accounts of these two human rights organizations. HRCO and EWLA appealed this decision to the High Court, but to no avail.⁹⁸ AI, EWHRA, and JS4 also raised similar concerns.⁹⁹

57. HRCO reported that CSOs faced further obstacles with a provision prohibiting organizations to spend more than 30 per cent of their budget on administrative costs. According to the guidelines issued by the Charities and Societies Agency, programme related expenses for transport, consulting, monitoring and evaluation, advocacy, salaries, payments to trainers and experts were considered administrative costs. JS4 and JS6 raised similar concerns.¹⁰⁰

58. A number of organizations recommended, *inter alia*, that Ethiopia repeal or amend the Charities and Societies Proclamation and take legislative and policy measures to create a safe and enabling environment for civil society to operate free from hindrance and insecurity; revise the interpretation by the Charities and Societies Agency of the 30/70 per cent provision; lift prohibitions for CSOs to generate foreign income; and allow HRCO and EWLA access to their frozen funds.¹⁰¹

59. JS6 noted reports of obstructions by government security forces on the exercise of freedom of assembly by political parties and civic groups.¹⁰² JS2 stated that, in the past five years, peaceful demands by Oromo university students for improving learning and teaching environments on different campuses had ended up in the imprisonment of more than one thousand students.¹⁰³

60. EWHRA stated that the severe restrictions on access to information, arbitrary detention of human rights activists, civil society and opposition leaders had compromised the electoral environment.¹⁰⁴ In the Parliamentary Election of 2010, the ruling party won with 99.6 per cent of the vote. The Government limited political rights, freedom of expression and association in the run up to the 2010 national elections.¹⁰⁵

61. JS6 stated that women held 152 out of 547 seats (27.8 per cent) in the House of Peoples' Representatives (HoPR). The representation of women in regional councils was much lower. There was no woman from opposition parties in the HoPR. Furthermore, women continued to be underrepresented in senior positions in the Government, the judiciary and the diplomatic service. Only three out of 23 ministers were women. Systematic barriers still hampered women from taking decision-making positions.¹⁰⁶

5. Right to work and to just and favourable conditions of work

62. JS6 recommended that Ethiopia implement sound economic policies to address inflation and unemployment and improve the poor labour market conditions for women in both rural and urban areas.¹⁰⁷

63. AHR noted reports that Oromos were arbitrarily denied business licenses on a frequent basis. Substantial discrimination in government and academic employment had been reported.¹⁰⁸

64. AHR stated that, through the villagization programme, many of the displaced families were left without an avenue to pursue employment. Villagers who relied on

farming as means of survival had been sent to areas consisting of unfertile lands. These areas also lacked adequate infrastructure for those displaced to obtain other employment.¹⁰⁹

6. Right to social security and to an adequate standard of living

65. MRG stated that most villagers, who had been forced to relocate due to the villagization programmes, were without health and education facilities, clean water and adequate food, despite the Government's promise to provide basic services and resources in the new village.¹¹⁰ AHR raised similar concerns.¹¹¹

66. EWHRA stated that, since 2012, ethnic Amharas had been subjected to forcible eviction from Guraferda Bench-Maji in the SNNPR as well as from the Benishangul-Gumuz region of Western Ethiopia. According to EWHRA, thousands might have been evicted.¹¹²

7. Right to health

67. JS6 reported wide urban-rural disparity in the distribution of health facilities, too expensive services, poor facilities, and shortage of drugs. The sector also suffered from depletion of trained manpower, as medical professionals migrate due to low salaries and working conditions.¹¹³ JS6 recommended that Ethiopia allocate adequate budget to improve the quality, affordability and accessibility of drugs and medical facilities.¹¹⁴

68. AHR stated that, without access to proper infrastructure or basic necessities such as clean water, the population relocated due to the villagization programmes had been subject to high rates of infant mortality as well as respiratory infections and diarrhea.¹¹⁵

8. Right to education

69. JS6 recommended that Ethiopia implement proper policies and strategies to improve quality of education and access to education in pastoralist areas and enact a law to make primary education free and compulsory to implement Ethiopia's obligation under CRC.¹¹⁶

70. AHR reported that the lack of access to education in rural areas had been felt more strongly by the disadvantaged ethnic groups subject to the villagization programmes.¹¹⁷

9. Minorities and indigenous peoples

71. HRCO stated that, although the Constitution granted the right of ethnic groups to self-determination and governance, the federal structure had clustered numerous ethnic groups under one regional administration. Conflicts between ethnic groups had been reported in SNNPR.¹¹⁸

72. JS5 stated that the Constitution and legal system did not recognize the land rights of indigenous communities. All land was considered government owned and, although, according to law, all citizens could gain access to the land, it was a usufruct right, which gave rural people little security of tenure or protection against evictions. The Federal Government and the regional authorities retained absolute power to confiscate land for public interest and development programmes.¹¹⁹

73. A number of organizations expressed concerns about the villagization programmes.¹²⁰ MRG and JS5 reported that, since 2010, Ethiopia introduced the villagization programmes aimed at relocating 1.5 million people in four regions: Gambella, Afar, Somali and Benishangul-Gumuz.¹²¹ The relocation was carried out with force in order to give way to foreign agricultural investors. There had been neither consultation with the indigenous communities nor compensation for the properties they had lost.¹²² Some of the lands that the Government had leased out to investors were lands that had significant cultural and religious values for the indigenous communities. Consequently, indigenous

communities were denied sacred grounds upon which they conducted their cultural and religious festivities.¹²³

74. MRG, SI and JS5 reported that those who had refused to move to the new village sites had been arrested, beaten, tortured and some killed.¹²⁴ Villagization programmes also encouraged the instances of rape and sexual violence against women in many villages.¹²⁵

75. MRG recommended that Ethiopia immediately halt its villagization programmes until it had put in place consultation channels and compensation guidelines; allow residents forcefully displaced to return to their old farms and continue their livelihood; ensure that forcibly relocated indigenous communities are compensated; allow the indigenous communities to use their communal lands in accordance with their traditional resource management systems; and prosecute or institute disciplinary proceedings against all government and military officials implicated in human rights violations associated with villagization.¹²⁶

76. SI stated that Ethiopia had violated the rights of the tribal peoples of the Lower Omo valley ("Peoples of the Lower Omo") in pursuit of the Gilgel Gibe III Dam and the Kuraz Sugar Project. These numbered at least 90,000 persons, who were mostly agro-pastoralists.¹²⁷ Their way of life depended on the annual floods of the Lower Omo, and they moved within their traditional lands according to the flood cycle. When the Gibe III dam is complete, it will eliminate the annual floods forever.¹²⁸ The refusal to consult the Peoples of the Lower Omo about Gibe III or the Kuraz Project was a violation of their right to self-determination.¹²⁹

77. SI recommended that Ethiopia give legal effect to the right of pastoralists under the Constitution not to be displaced from their own lands and take practical steps to ensure that the Peoples of the Lower Omo will not be required to move to any new village without their free prior and informed consent.¹³⁰

10. Internally displaced persons

78. JS6 indicated that thousands of people were reportedly internally displaced due to ethnic conflicts over access to resources and land, and conflicts between insurgent movements and the Government, especially in the Gambella, Benishangul-Gumuz and Somali regions. However, there was no adequate information on the scale of displacement. No comprehensive national survey on internally displaced persons (IDPs) had been conducted, and there was no specialized government body designated to handle IDP matters because the Government had not recognized the problem and given it due attention.¹³¹

79. JS6 continued that support to IDPs was often late, inadequate and intermittent. This was seen in the case of thousands of Amhara peasants who were displaced from the SNNPR, Oromia and Benishangul-Gumuz regions after being illegally evicted from their lands by local and regional officials.¹³² HRCO raised similar concerns¹³³ and recommended that Ethiopia respect the basic principles of the Kampala Convention to protect and indemnify the displaced communities.¹³⁴

11. Human rights and counter-terrorism

80. A number of organizations were concerned that the Anti-Terrorism Proclamation had frequently been used to arbitrarily arrest journalists, bloggers and members of political opposition parties. They were particularly concerned about the broad definition of terrorism provided therein.¹³⁵

81. ARTICLE 19 was concerned that the Anti-Terrorism Proclamation allowed critical reporting to be penalised where there was no threat to national security; ambiguous offences included the "moral support of" and "encouraging of" "terrorist acts", granting the

State broad discretion to criminalise dissent where there was no direct call for engagement in terrorism; broad executive powers of surveillance, warrantless search, seizure, arrests and detention exposed journalists to harassment and intimidation.¹³⁶ HRCO stated that, under the Anti-Terrorism Proclamation, punishment for "a publication likely to be understood as instigation of terrorism" went from 10 to 20-year-imprisonment sentences.¹³⁷

82. HRW stated that 34 people, including 11 journalists and at least four opposition supporters, were known to have been sentenced under the law since late 2011 in what appeared to be politically motivated trials. The provision on pre-trial detention allowed suspects to be held in custody for up to four months without charge.¹³⁸ JS4 also raised similar concerns and stated that those detained under the Anti-Terrorism Proclamation were reportedly subjected to torture and ill-treatment during their detention and interrogation.¹³⁹

83. A number of organizations recommended that Ethiopia repeal or amend the Anti-Terrorism Proclamation, especially vague provisions that can be used to criminalize the exercise of the rights to freedom of expression and association; ensure that all legislation complies with international human rights standards; immediately cease harassment of journalists; and release those who were detained under the Anti-Terrorism Proclamation.¹⁴⁰

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

AHR	Advocates for Human Rights, Minneapolis, United States of America;
AHRE	Advocacy for Human Rights Ethiopia, Amsterdam, Netherlands;
AI	Amnesty International, London, United Kingdom of Great Britain and Northern Ireland;
ARM	African Rights Monitor, Alexandria, United States of America;
ARTICLE 19	Article 19, London, United Kingdom of Great Britain and Northern Ireland;
EWHRA	Ethiopian Women's Human Rights Alliance, Washington D.C., United States of America;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, United Kingdom of Great Britain and Northern Ireland;
HRCO	Human Rights Council, Addis Ababa, Ethiopia;
HRW	Human Rights Watch, Geneva, Switzerland;
IOWO	International Oromo Women's Organization, Washington D.C., United States of America;
JUBILEE	Jubilee Campaign, Fairfax, United States of America;
MRG	Minority Rights Group, London, United Kingdom of Great Britain and Northern Ireland;
RSF-RWB	Reporters Without Borders, Paris, France;
SI	Survival International, London, United Kingdom of Great Britain and Northern Ireland;
UNPO	Unrepresented Nations and Peoples Organization, The Hague, Netherlands.

Joint submissions:

JS1	Joint submission 1 submitted by: Oromia Support Group (OSG), Malverne, United Kingdom of Great Britain and Northern Ireland, and Oromia Support Group Australia (OSGA), Noble Park, Australia;
JS2	Joint submission 2 submitted by: Human Rights League of the Horn of Africa (HRLHA), Toronto, Canada and Centre for Civil and Political Rights (CCPR-Centre), Geneva, Switzerland;
JS3	Joint submission 3 submitted by: PEN International, London, United Kingdom of Great Britain and Northern Ireland, Committee to Protect Journalists, New York, United States of America, and Freedom Now, Washington D.C., United States of America;
JS4	Joint submission 4 submitted by: CIVICUS: World Alliance for Citizen Participation, Johannesburg, South Africa, East and Horn of Africa Human Rights Defenders Project (EHAHRDP), Kampala, Uganda, and Human Rights Council (HRCO), Addis Ababa, Ethiopia;
JS5	Joint submission 5 submitted by: Habitat International Coalition, Santiago, Chile, and Oakland Institute, Oakland, United States of America;
JS6	Joint submission 6 submitted by: CSO Taskforce, consisting of Human Rights Council (HRCO), Vision Ethiopia Congress for Democracy (VECOD), Ethiopian Human Rights Service (EHRS), and Ye Ethiopia Ye Fiteh Seratoch Ma'ekel (Centre for Legal Pluralism in Ethiopia), Addis Ababa, Ethiopia.

National human rights institution:

EHRC	Ethiopian Human Rights Commission, Addis Ababa, Ethiopia.
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² The following abbreviations have been used for this document:

ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CPED	International Convention for the Protection of All Persons from Enforced Disappearance
OPs-ICCPR	Optional Protocols to ICCPR
OP-ICESCR	Optional Protocol to ICESCR
OP-CAT	Optional Protocol to CAT
HR Committee	Human Rights Committee
CRC	Committee on the Rights of the Child
CRC	Convention on the Rights of the Child

- ³ JS2, recommendation 9.
- ⁴ HRCO, p. 5.
- ⁵ HRW, p. 5.
- ⁶ JS6, para. 1.1. See recommendation 97.1 in A/HRC.13/17.
- ⁷ HRCO, p. 5.
- ⁸ EHRC, pp. 4-6 / JS5, p. 6 / JS6, para. 1.2.
- ⁹ JS6, para. 1.2.
- ¹⁰ JS5, p. 6.
- ¹¹ JS6, para. 1.2.1.
- ¹² JS6, para. 1.2.2.
- ¹³ JS6, recommendation, p. 8.
- ¹⁴ AI, p. 2.
- ¹⁵ AHR, p. 3.
- ¹⁶ JS2, recommendation 3.
- ¹⁷ JS6, para. 1.2.2.
- ¹⁸ ARM, p. 3.
- ¹⁹ HRW, p. 5 / JS3, p. 10 / JS4, para. 6.5.
- ²⁰ AHR, p. 4.
- ²¹ AHR, p. 4.
- ²² UNPO, p. 5.
- ²³ AHRE, pp. 1-2.
- ²⁴ MRG, p. 1.
- ²⁵ SI, paras. 21-25.
- ²⁶ UNPO, p. 3.
- ²⁷ AI, p. 3.
- ²⁸ ARM, p. 2.
- ²⁹ AI, p. 3.
- ³⁰ ARM, p. 3.
- ³¹ JS6, para. 3.
- ³² IOWO, p. 2.
- ³³ HRW, p. 3.
- ³⁴ AHR, p. 2.
- ³⁵ UNPO, p. 2.
- ³⁶ UNPO, p. 3.
- ³⁷ AI, p. 2 / HRCO, p. 4.
- ³⁸ HRW, p. 3.
- ³⁹ EHRC, p. 7.
- ⁴⁰ JS1, para. 23.
- ⁴¹ AI, p. 5.
- ⁴² AI, p. 3 / IOWO, p. 3 / UNPO, p. 4 / JS1, para. 46.
- ⁴³ AI, p. 4.
- ⁴⁴ JS6, para. 2.2.6.
- ⁴⁵ JS6, para. 2.2.4.
- ⁴⁶ JS6, para. 2.2.1.
- ⁴⁷ JS6, paras. 2.2.2. and 2.2.3.
- ⁴⁸ GIEACPC, p. 1.

- ⁴⁰ MRG, para. 20.
- ⁴¹ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- ⁴² JS6, para. 7.1.
- ⁴³ JS6, recommendations e) and f), p. 10.
- ⁴⁴ EWHRA, p. 5.
- ⁴⁵ JS1, para. 10.
- ⁴⁶ HRW, p. 1.
- ⁴⁷ HRW, p. 5.
- ⁴⁸ JS6, para. 3.
- ⁴⁹ JS6, recommendation, p. 5.
- ⁵⁰ JUBILEE, paras. 1, 3, and 16.
- ⁵¹ EWHRA, p. 4.
- ⁵² JS6, p. 7.
- ⁵³ EWHRA, p. 4 / HRW, p. 2 / JS2, paras. 12-14 / JS4, paras. 5.2-5.4.
- ⁵⁴ JUBILEE, para. 18.
- ⁵⁵ AHR, p. 3 / AI, p. 4 / ARTICLE 19, p. 1 / EWHRA, p. 5 / HRCO, pp. 2-3 / HRW, p. 1 / JUBILEE, para. 11 / MRG, recommendation 11 / RWB-RSF, p. 1 / JS2, para. 5 / JS3, para. 3 / JS4, paras. 3.1-4.5 / JS5, pp. 7-8 / JS6, pp. 6-7.
- ⁵⁶ ARTICLE 19, paras. 9-11.
- ⁵⁷ JS3, para. 11.
- ⁵⁸ ARTICLE 19, paras. 9-11.
- ⁵⁹ JS3, para. 10.
- ⁶⁰ ARTICLE 19, para. 17.
- ⁶¹ JS3, para. 29.
- ⁶² ARTICLE 19, para. 7.
- ⁶³ HRCO, para. 4.
- ⁶⁴ JS4, para. 4.3.
- ⁶⁵ HRW, p. 2.
- ⁶⁶ JS4, para. 4.4.
- ⁶⁷ ARTICLE 19, para. 14 / JS2, paras. 7-8 / JS3, paras. 34-38.
- ⁶⁸ RSF-RWB, pp. 1-2.
- ⁶⁹ JS4, paras. 4.5. and 6.3.
- ⁷⁰ JS3, para. 39.
- ⁷¹ RSF-RWB, pp. 1-2.
- ⁷² RSF-RWB, p. 1.
- ⁷³ JS3, para. 19.
- ⁷⁴ JS3, para. 16.
- ⁷⁵ JS3, para. 18.
- ⁷⁶ AI, p. 3 / ARM, p. 3 / RSF-RWB, p. 3 / UNPO, p. 2.
- ⁷⁷ ARM, p. 3.
- ⁷⁸ JS3, p. 10.
- ⁷⁹ JS4, para. 3.6.
- ⁸⁰ AI, p. 4 / ARTICLE 19, p. 2 / EWHRA, p. 2 / HRCO, p. 3 / JS2, p. 3 / JS3, paras. 24-26 / JS4, p. 7 / JS6, p. 7.
- ⁸¹ AI, p. 4 / ARTICLE 19, p. 2 / EWHRA, pp. 2-3 / HRCO, p. 2 / RSF-RWB, p. 3 / JS2, para. 5 / JS3, p. 7 / JS6, p. 7.
- ⁸² AHR, p. 3 / AI, pp. 1-2 and 4 / ARTICLE 19, pp. 5-6 / ARM, p. 3 / EWHRA, pp. 2-3 / JUBILEE, para. 12 / HRCO, p. 1 / HRW, pp. 1-2 and 4 / MRG, recommendation 11 / JS2, paras. 41-43 and recommendation 7 / JS4, para. 2.1-2.9 and 6.1 / JS6, pp. 5-6.
- ⁸³ HRW, p. 2.
- ⁸⁴ ARTICLE 19, para. 16.
- ⁸⁵ JS4, para. 2.5.
- ⁸⁶ JS4, para. 2.7.
- ⁸⁷ JS4, para. 2.8.
- ⁸⁸ JS6, para. 4.1.

- ⁹⁸ JS6, para. 4.1.
- ⁹⁹ AI, p. 2 / EWHRA, p. 3 / JS4, para. 2.9.
- ¹⁰⁰ JS4, para. 2.6 / JS6, para. 4.1.
- ¹⁰¹ AI, p. 4 / ARM, p. 3 / ARTICLE 19, para. 18 / EWHRA, p. 6 / HRCO, p. 2 / HRW, p. 4 / MRC, recommendation 11 / JS2, recommendation 7 / JS4, para. 6.1 / JS6, recommendation, p. 6.
- ¹⁰² JS6, para. 4.2.
- ¹⁰³ JS2, para. 10.
- ¹⁰⁴ EWHRA, p. 2.
- ¹⁰⁵ EWHRA, p. 3.
- ¹⁰⁶ JS6, para. 2.1.
- ¹⁰⁷ JS6, recommendation a), p. 10.
- ¹⁰⁸ AHR, p. 4.
- ¹⁰⁹ AHR, p. 4.
- ¹¹⁰ MRG, para. 14.
- ¹¹¹ AHR, p. 2.
- ¹¹² EWHRA, p. 4.
- ¹¹³ JS6, para. 6.2.
- ¹¹⁴ JS6, recommendation b), p. 10.
- ¹¹⁵ AHR, p. 2.
- ¹¹⁶ JS6, recommendations c) and d), p. 10.
- ¹¹⁷ AHR, p. 4.
- ¹¹⁸ HRCO, para. 10.
- ¹¹⁹ JS5, pp. 1-2.
- ¹²⁰ AHR, p. 2 / EWHRA, p. 5 / HRCO, para. 11 / HRW, p. 1 / MRG, pp. 2-4 / SI, pp. 1-5 / JS2, paras. 18-31 / JS5, p. 3.
- ¹²¹ MRG, para. 13 / JS5, p. 3.
- ¹²² MRG, para. 13.
- ¹²³ MRG, para. 15.
- ¹²⁴ MRG, para. 17 / SI, para. 16 / JS5, p. 4.
- ¹²⁵ MRG, para. 19 / SI, para. 16.
- ¹²⁶ MRG, pp. 4-5.
- ¹²⁷ SI, paras. 1-2.
- ¹²⁸ SI, paras. 3-4.
- ¹²⁹ SI, paras. 21-25.
- ¹³⁰ SI, para. 26 (1) and (2).
- ¹³¹ JS6, para. 7.2.
- ¹³² JS6, para. 7.2.
- ¹³³ HRCO, para. 10.
- ¹³⁴ HRCO, p. 5.
- ¹³⁵ ARTICLE 19, para. 4 / JS4, paras. 3.1-3.6 / JS6, para. 3.5 / EWHRA, p. 2 / HRCO, para. 5 / HRW, p. 1 / JUBILEE, para. 12 / RSF-RWB, p. 4/.
- ¹³⁶ ARTICLE 19, para. 4.
- ¹³⁷ HRCO, para. 4.
- ¹³⁸ HRW, p. 1.
- ¹³⁹ JS4, para. 3.5.
- ¹⁴⁰ AI, p. 5 / ARTICLE 19, para. 18 / EWHRA, p. 6 / HRCO, p. 4 / HRW, p. 4 / MRG, recommendation 11 / JS2, p. 11 / JS3, p. 10 / JS4, paras. 6.2 - 6.4 / JS5, p. 8 / RWB-RSF, p. 5 /.